

Haggerty, Katie

From: Dave Karchner <davekarchner60@gmail.com>
Sent: Thursday, April 09, 2015 1:33 PM
To: JudTestimony
Subject: SB 650

Please do not allow this bill to move forward.

SB 650 would allow our gun rights to be stripped without due process of law. This legislation would require a sworn police officer to serve all ex parte temporary restraining orders when the applicant indicates on the application that the respondent has access to a firearm or ammunition, or holds a valid state-issued firearm or ammunition permit or eligibility certificate. An ex parte temporary restraining order is one where only one side, the applicant, makes a claim and doesn't have to appear in front of a judge before the order is issued. Upon the delivery of the order, the police officer would then immediately confiscate all legally owned firearms, ammunition, carry permits and eligibility certificates BEFORE a person has had a hearing before a court to determine the merits of the complaint made against them.

If firearms are confiscated erroneously or a court ultimately dismisses an order, and since a person does not have an immediate ability to have a hearing or right to be heard before a court before their firearms, ammunition, permits, certificates are taken, the wait is often as long as two years or longer to get his/her firearms, ammunition certificates and permits returned to them. There is also, unfortunately, no reprisal for filing a false claim. This bill takes unnecessary steps to blatantly circumvent our rights.

It is clear that the Governor and some misguided legislators have only one interest – gun confiscation and limiting the rights of the law-abiding in Connecticut, as they have shown no interest in providing respondents with an opportunity to be heard before a judge ahead of losing their Second Amendment rights. In fact, this legislation even removes verbatim “an opportunity to be heard” from the current state statute that protects individuals in these circumstances today.

It's important for gun owners to have the opportunity to put up their own defense before losing their Second Amendment rights. This bill's low evidentiary standards and lack of a mechanism for individuals to present their own defense before being deprived of their constitutional rights is unacceptable.

David Karchner